

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JAMES JOHN O'SHEA,  
Plaintiff,

v.

STEPHANIE GARRETT, et al.,  
Defendants.

Case No. [23-cv-01901-TLT](#)

**ORDER OF DISMISSAL**

On April 20, 2023, the Court docketed a document titled "Complaint About a California Judge, Court Commissioner of Referee," apparently seeking relief from this Court, and opened an action pursuant to this filing. ECF 1. That same day, the Court sent plaintiff deficiency notices, instructing plaintiff that he was required to (1) file his complaint on a complaint by a prisoner form, and (2) either pay the filing fee or file an application for leave to proceed *in forma pauperis*. ECF 2, 3. The Court sent plaintiff a blank complaint form and a blank *in forma pauperis* application form. ECF 2, 3.

The deadline to file (1) a complaint and (2) either pay the filing fee or file an application for leave to proceed *in forma pauperis* has passed. Plaintiff has filed only an incomplete application for leave to proceed *in forma pauperis* (ECF 4) and has not filed a complaint on a prisoner complaint form. Plaintiff's application to proceed *in forma pauperis* is missing a Certificate of Funds signed by an authorized jail official and a trust account statement showing plaintiff's transactions and balances for the last six months. This action cannot proceed without a signed complaint on the proper form with the necessary information and a complete *in forma pauperis* application.


Accordingly, this action is DISMISSED for failure to meet these filing requirements. The

1 dismissal is without prejudice to plaintiff filing a motion to reopen the action. Any motion to  
2 reopen must be accompanied by a signed complaint on the proper form with the necessary  
3 information and a complete *in forma pauperis* application.

4 The Clerk shall enter judgment in favor of defendants and against plaintiff, terminate all  
5 pending motions, and close the case.

6 **IT IS SO ORDERED.**

7 Dated: July 11, 2023

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11 TRINA L. THOMPSON  
12 United States District Judge  
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